



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventors: Eric W. Leopold, et al.

Serial No. 10/699,612

Filed: October 31, 2003

For: INTRAVASCULAR FLOW MODIFIER AND

REINFORCEMENT DEVICE AND DEPLOYMENT SYSTEM FOR

**SAME** 

Examiner: Unassigned

Group Art Unit: 1616

Docket No.: MICRU-64933

February 24, 2005

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. § 1.56 and the procedure set forth in 37 C.F.R. §§ 1.97 and 1.98, the Applicant submits for the Examiner's consideration the attached PTO Form PTO/SB/08A and PTO/SB/08B. A copy of each of the listed references also is enclosed.

The undersigned hereby certifies that the cited documents were brought to the Applicant's attention in a Search Report for an International application pending under the Patent Cooperation Treaty which asserts priority to U.S. Serial No. 10/699,612 ("612

application"), which Search Report was communicated on January 10, 2005, not more than three months ago. A copy of the first page of the International Search Report is also enclosed.

The references cited on the Form PTO/SB/08A and PTO/SB/08B may not constitute prior art to the subject matter of the invention claimed in the pending application. The documents therefore are disclosed here in an abundance of caution, in light of 37 C.F.R. § 1.56.

The Applicant respectfully petitions the Examiner to consider this Information Disclosure Statement. As the Applicant has not received a first Office action for the `612 application, this Information Disclosure Statement is submitted pursuant to 37 C.F.R. § 1.97(b)(3) and it is believed that no fee is due. However, in the event that this paper should cross in the mail with a final Office action, the Applicant hereby requests the Office to consider the Information Disclosure Statement pursuant to 1.97(c).

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

3y:/==+

James W. Paul

Registration No. 29,967

Fulwider Patton Lee & Utecht, LLP Howard Hughes Center 6060 Center Drive, Tenth Floor Los Angeles, California 90045

Telephone: (310) 824-5555 Facsimile: (310) 824-9696

Customer No. 24201

81282.1

PTO/SB/21 (04-04) Approved for use through 07/31/2006. OMB 0651-0031 ademark Office: U.S. DEPARTMENT OF COMMERCE mation unless it displays a valid OMB control number.

ill Su supp	equired to respond to a collection of inform
TENT & TRACE	Application Number

Older the Paperwork Reduction Act of 1999, no p		to respond to a conceder of informati				
		Application Number	10/699,612			
TRANSMITTA	\L	Filing Date	October 31, 2003			
FORM		First Named Inventor	Eric W. Leopold, et al.			
(to be used for all correspondence after in	nitial filing)	Art Unit	1616			
	!	Examiner Name	Unassigned			
Total Number of Pages in This Submission	5+	Attorney Docket Number	MICRU-64933			
	ENCLOSU	JRES (check all that apply	1)			
Fee Transmittal Form  Fee Attached  Amendment / Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application  Response to Missing Parts under 37 CFR 1.52 or 1.53	Petition Petition to Provisions Power of Change of Terminal Request	-related Papers  o Convert a al Application  Attorney, Revocation of Correspondence Address  Disclaimer  for Refund  ther of CD(s)	After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):  1. Nine (9) References 2. Return Postcard			
SIGNATURE	OF APPLICAN	IT, ATTORNEY, OR AGEN	Γ			
Firm or Individual name James W. Paul  Signature  Date February 24, 2005						
CER	TIFICATE OF	TRANSMISSION/MAIL	ING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:						
Typed or printed name James W. Paul, Registration No. 29,967						
Signature		Date	February 24, 2005			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

2

Sheet 1 of

Complete if Known				
Application Number	10/699,612			
Filing Date	October 31, 2003			
First Named Inventor	Eric W. Leopold, et al.			
Art Unit	1616			
Examiner Name	Unassigned			
Attorney Docket Number	MICRU-64933			

			U.S. PA	TENT DOCUMENTS		
Examiner Cite Initials No.1		Document Number  Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US- 4,553,545	11/19/1985	Dierk Maass, et al.		
		US- 5,217,483	06/08/1993	Allen J. Tower		
		US- 5,772,668	06/30/1998	David Paul Summers, et al.		
		US- 6,015,429	01/18/2000	Lilip Lau, et al.		
		US- 6,168,570	01/02/2001	David A. Ferrera		
		US- 6,355,060	03/12/2002	Jay A. Lenker, et al.		
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		U\$-				
		US-				

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant		
		Office <sup>3</sup>	Number <sup>4</sup>	Kind⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>	
	-	EPO	EP0312852 A1		04/26/1989	Medtronic, Inc.			
			· - · · · · · · · · · · · · · · · · · ·					Ш	
					<u> </u>				
<b>-</b>								$\vdash$	
					****				

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (opfional). See Kinds Codes of USPTO Patent Documents at.www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Stantard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Subetitu	ite for form 1449B/PT0	`		Complete if Known			
				Application Number	10/699,612		
NFC	DRMATION	1 D	ISCLOSURE	Filing Date	October 31, 2003		
STATEMENT BY APPLICANT				First Named Inventor	Eric W. Leopold, et al.		
				Art Unit	1616		
	(use as many s	heets	s as necessary)	Examiner Name	Unassigned		
oot I	2	Ωf	2	Attorney Docket Number	MICDII 64022		

FEB 2 8 2005 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. Cite T2 Examiner Initials No.1 U.S. Patent Application Publication No. 2001/0009996 A1; Published 07/26/2001; David A. Ferrera, et al.; Entitled: "SHAPE MEMORY SEGMENTED DETACHABLE COIL" U.S. Patent Application Publication No. 2002/0013599 A1; Published 01/31/2002; Timothy A. Limon, et al.; Entitled: "SELF-EXPANDING STENT DELIVERY SYSTEM" Date Examiner

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional).

<sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Considered

Signature

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.